

1 **SAO**

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7 Attorneys for Third-Party Defendant

8 NEVADA COUNTERTOP CORPORATION

9 UNITED STATES DISTRICT COURT

10 CLARK COUNTY, NEVADA

11
12 AZURE MANOR/RANCHO DE PAZ
13 HOMEOWNERS ASSOCIATION, a Nevada
residential common-interest planned community,

14 Plaintiffs,

15 v.

16 U.S. HOME CORPORATION, a Delaware
17 corporation; LENNAR CORPORATION, a
Nevada corporation; LENNAR SALES CORP., a
18 California corporation, and DOES 1-100,
19 inclusive,

20 Defendants.

21 U.S. HOME CORPORATION, a Delaware
corporation; LENNAR CORPORATION, a
22 Nevada corporation; LENNAR SALES CORP., a
California corporation,

23 Third-Party Plaintiffs,

24 v.

25
26 THE A.C. HOUSTON LUMBER COMPANY, a
Nevada corporation; ATRIUM DOOR AND
27 WINDOW COMPANY OF ARIZONA, a
Delaware corporation; THE AVANTI DOOR
28

CASE NO.: 2:15-cv-00002-JAD-CWH

DEPARTMENT

(ELECTRONIC FILING CASE)

**THIRD-PARTY DEFENDANT NEVADA
COUNTERTOP CORPORATION OF
NEVADA'S STIPULATION AND ORDER
FOR DISMISSAL WITH PREJUDICE
AND TO DEEM THE SETTLEMENT
AGREEMENT AND RELEASE
EXECUTED BY NEVADA COUNTERTOP
CORPORATION**

ECF No. 280

1 GROUP, INC., a Nevada corporation;
2 CAMPBELL CONCRETE OF NEVADA, INC.,
3 a Nevada corporation; FLOORS-N-MORE, LLC
4 dba CARPETS-N-MORE, a Nevada limited-
5 liability company; CHAMPION DRYWALL
6 INC. OF NEVADA, a Nevada corporation;
7 COOPER ROOFING CO., a Nevada corporation;
8 COOPER ROOFING COMPANY, INC., a
9 Nevada corporation; CUSTOM HEARTH
10 DISTRIBUTORS, INC., a Nevada corporation;
11 DAWN FRAMING, INC., a Nevada corporation;
12 CIRCLE S DEVELOPMENT CORPORATION
13 dba DECK SYSTEMS OF NEVADA, a Nevada
14 corporation; GENERAL ELECTRIC
15 COMPANY, a New York corporation;
16 HARRISON DOOR COMPANY, a Nevada
17 corporation; K&K DOOR & TRIM, LLC, a
18 Nevada limited-liability company; MSI
19 LANDSCAPING, INC., a Nevada corporation;
20 M&M CONSTRUCTION, INC., a Nevada
21 corporation; MERILLAT INDUSTRIES, INC., a
22 Michigan corporation; NEVADA
23 COUNTERTOP CORPORATION, a Nevada
24 corporation; NEVADA STAIRS, INC., a Nevada
25 corporation; NEW CREATION MASONRY,
26 INC., a Nevada corporation; PIONEER
27 PLUMBING, INC., a Nevada corporation; RW
28 STUCCO, INC., a Nevada corporation; RED
ROSE, INC., a Nevada corporation; REPUBLIC
ELECTRIC, INC., a Nevada corporation;
NORTHBROOK, INC. dba SIERRA
REFINISHING, a Nevada corporation; TRI-
CITY DRYWALL, INC., a Nevada corporation;
VALENTE CONCRETE, LLC, a Nevada
limited-liability company; WESTERN
AMERICA GRANITE, a Nevada corporation;
WESTERN SHOWER DOOR, INC., a
California corporation,

Third-Party Defendants.

THIRD-PARTY DEFENDANT NEVADA COUNTERTOP CORPORATION OF
NEVADA'S STIPULATION AND ORDER FOR DISMISSAL WITH PREJUDICE
AND TO DEEM THE SETTLEMENT AGREEMENT AND RELEASE
EXECUTED BY NEVADA COUNTERTOP CORPORATION

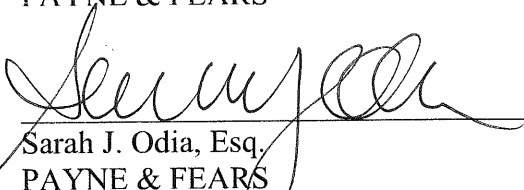
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COMES NOW, Third-Party Plaintiff, CENTEX HOMES, by and through its attorney, Sarah J. Odia, Esq., of the law firm of PAYNE & FEARS, and Third-Party Defendant, NEVADA COUNTERTOP CORPORATION by and through its attorney of record, Kevin A. Brown and Jill P. Northway, of the law firm of BROWN, BONN & FRIEDMAN, LLP, and hereby stipulate to dismiss Third-Party Defendant NEVADA COUNTERTOP CORPORATION, from the action with prejudice. The parties further stipulate to Deem the Settlement Agreement and Release Executed by NEVADA COUNTERTOP CORPORATION, because NEVADA COUNTERTOP CORPORATION is an out of business enterprise with no ability to sign the Settlement Agreement. The Parties agree that in connection with this dismissal, each party to bear its own attorney's fees and costs.

This Stipulation is entered into in good faith, in the interests of judicial economy and not for the purposes of delay.

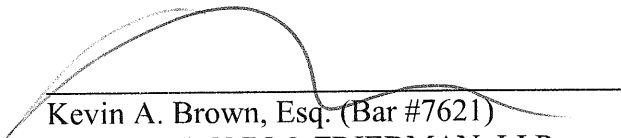
DATED: 12-6-17

PAYNE & FEARS


Sarah J. Odia, Esq.
PAYNE & FEARS
6385 S. Rainbow Blvd., Suite 220
Las Vegas, NV 89118
Attorneys for U.S. HOME CORPORATION

DATED: 12-8-17th

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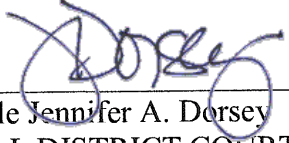

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ORDER

The parties have stipulated and agreed to the dismissal of the Third-Party Defendant, NEVADA COUNTERTOP CORPORATION, as set forth in the Stipulation, and good cause appearing.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Third-Party Plaintiff, CENTEX HOMES'S, Third-Party Complaint as to Third-Party Defendant, NEVADA COUNTERTOP CORPORATION, be dismissed with prejudice and to Deem the Settlement Agreement Signed by NEVADA COUNTERTOP CORPORATION. The Parties will each bear their own respective attorney's fees and costs herein.

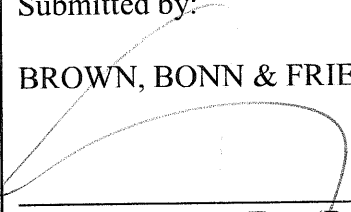
DATED: 12/12/2017.



Honorable Jennifer A. Dorsey
JUDICIAL DISTRICT COURT JUDGE

Submitted by:

BROWN, BONN & FRIEDMAN, LLP



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